

## EEO/NO FEAR ACT Statistical Report

**Department of Education Employment Discrimination Complaint Statistics as required by Title III of the (No Fear Act) Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002.**

	2000	2001	2002	2003	2004	2005 1 <sup>st</sup> Qtr	2005 2 <sup>nd</sup> Qtr	2005 3 <sup>rd</sup> Qtr	2005 4 <sup>th</sup> Qtr
<b>Number of Complaints</b>	68	50	45	41	49*	47**	54	55	80
<b>Number of Filers</b>	23	18	29	27	38	11	19	9	37
<b>Number of Repeat Filers</b>					18	3	8	3	6
<b>Basis of Complaint</b>									
Race	14	11	15	10	24	5	12	6	9
a. American Indian/Alaskan Native						0	0	0	0
b. Asian Pacific Islander						1	1	0	0
c. Black						4	10	6	6
d. White						0	1	0	3
Color	0	0	0	8	8	0	0	2	5
Religion	0	2	2	1	0	0	1	0	3
National Origin	1	4	4	13	3	0	2	0	1
a. Hispanic						0	0	0	1
b. Other						0	2	0	
Sex	16	8	13	13	11	7	8	4	15
a. Male						2	2	1	10
b. Female						5	6	3	5
Disability	5	1	11	7	9	3	7	2	16
a. Mental						1	3	0	1
b. Physical						2	4	2	15
Age	29	1	3	5	6	4	5	1	21
Reprisal	8	7	17	18	16	9	9	3	10
Equal Pay Act						0	4	1	1
a. Male						0	1	0	0
b. Female						0	3	1	1
<b>Issue of Complaint</b>									
Appointment/Hire	0	1	1	0	0	1	1	0	0
Assignment of Duties	4	3	3	5	5	3	8	2	12
Awards	9	2	3	6	3	0	6	2	1

Conversion to Full Time	0	0	0	0	0	0	0	0	0
Disciplinary Actions	6	4	9	2	3	0	7	0	0
a. Demotion						0	0	0	0
b. Reprimand						0	2	0	0
c. Suspension						0	2	0	0
d. Removal						0	0	0	1
e. Other						0	3	0	0
Duty Hours	0	0	1	5	0	0	1	0	1
Evaluation/Appraisal	2	2	5	5	11	3	4	4	4
Examination/Test	0	0	0	0	0	0	0	0	0
Harassment (sexual)	0	0	0	0	1	0	0	1	0
Harassment (non-sexual)	5	5	7	5	9	5	5	4	11
Medical Examination	0	0	0	0	0	0	0	0	0
Pay	3	0	2	0	1	0	1	1	1
Promotion/Non-selection	18	11	13	2	18	4	6	3	10
Reassignment (denied)	2	0	5	3	3	1	4	1	4
Reassignment (directed)	0	0	2	0	2	1	7	1	0
Reasonable Accommodation	4	1	8	5	5	0	4	0	0
Reinstatement	4	0	0	0	0	0	0	0	0
Retirement	0	1	0	0	0	0	0	0	4
Termination	0	0	4	1	0	0	0	0	0
Terms/Conditions of Employment	4	0	4	6	6	1	6	2	22
Time & Attendance	2	1	5	5	2	0	2	0	0
Training	5	2	3	3	4	0	3	2	1
Other	0	6	0	5	15	3	4	5	0
a. Hostile Work Environment						2	1		0
b. Invasion of Privacy						1			0
c. Injury							1		0
d. Threat							1		0
e. Denial of Equal Access to Repay- ment of Federal Student Loan Program							1		0
f. IPD									
<b>Processing Time</b>									
<b>Average Length of Time for Each Step in the Process</b>									
Investigation	194.3	259.52	233.92	197.33	193.72	244.83	196.25	178.10	227

Final Agency Decision Final Agency Action (AJ decisions)	1079.70	774.13	784.90	944.13	621.11	453.33 634.2	412 560		
<b>Number of Complaints Dismissed and the Average Time They Were Pending When Dismissed</b>	5, 615.40	4, 572.8	6, 696.17	6, 349.50	2 239.5	0	4 724.5	1 240	1 83
<b>Final Agency Actions Involving Discrimination (FADs and AJ decisions)</b>	0	0	0	0	1	0	0	0	0
<b>Findings of Discrimination Sorted by Basis and Whether There was a Hearing</b>	0	0	0	0	0	0	0	0	0
Race (hearing)	0	0	0	0	0	0	0	0	0
Race (no hearing)	0	0	0	0	0	0	0	0	0
Color (hearing)	0	0	0	0	0	0	0	0	0
Color (no hearing)	0	0	0	0	0	0	0	0	0
Religion (hearing)	0	0	0	0	0	0	0	0	0
Religion (no hearing)	0	0	0	0	0	0	0	0	0
National Origin (hearing)	0	0	0	0	0	0	0	0	0
National Origin (no hearing)	0	0	0	0	0	0	0	0	0
Sex (hearing)	0	0	0	0	0	0	0	0	0
Sex (no hearing)	0	0	0	0	0	0	0	0	0
Disability (hearing)	0	0	0	0	1	0	0	0	0
Disability (no hearing)	0	0	0	0	0	0	0	0	0
Age (hearing)	0	0	0	0	0	0	0	0	0
Age (no hearing)	0	0	0	0	0	0	0	0	0
Reprisal (hearing)	0	0	0	0	1	0	0	0	0
Reprisal (no hearing)	0	0	0	0	0	0	0	0	0
<b>Findings of Discrimination Sorted by Issue and Whether There was a Hearing</b>	0	0	0	0	0	0	0	0	0
Appointment/Hire (hearing)	0	0	0	0	0	0	0	0	0
Appointment/Hire (no hearing)	0	0	0	0	0	0	0	0	0
Assignment of Duties (hearing)	0	0	0	0	0	0	0	0	0
Assignment of Duties (no hearing)	0	0	0	0	0	0	0	0	0
Awards (hearing)	0	0	0	0	0	0	0	0	0
Awards (no hearing)	0	0	0	0	0	0	0	0	0

Conversion to Full Time (hearing)	0	0	0	0	0	0	0	0	0
Conversion to Full Time (no hearing)	0	0	0	0	0	0	0	0	0
Disciplinary Actions (hearing)	0	0	0	0	0	0	0	0	0
Disciplinary Actions (no hearing)	0	0	0	0	0	0	0	0	0
Duty Hours (hearing)	0	0	0	0	0	0	0	0	0
Duty Hours (no hearing)	0	0	0	0	0	0	0	0	0
Evaluation/Appraisal (hearing)	0	0	0	0	1	0	0	0	0
Evaluation/Appraisal (no hearing)	0	0	0	0	0	0	0	0	0
Examination/Test (hearing)	0	0	0	0	0	0	0	0	0
Examination/Test (no hearing)	0	0	0	0	0	0	0	0	0
Harassment (sexual) (hearing)	0	0	0	0	0	0	0	0	0
Harassment (sexual) (no hearing)	0	0	0	0	0	0	0	0	0
Harassment (non-sexual) (hearing)	0	0	0	0	0	0	0	0	0
Harassment (non-sexual) (no hearing)	0	0	0	0	0	0	0	0	0
Medical Examination (hearing)	0	0	0	0	0	0	0	0	0
Medical Examination (no hearing)	0	0	0	0	0	0	0	0	0
Pay (hearing) (no hearing)	0	0	0	0	0	0	0	0	0
Pay (no hearing)	0	0	0	0	0	0	0	0	0
Promotion/Non-selection (hearing)	0	0	0	0	0	0	0	0	0
Promotion/Non-selection (no hearing)	0	0	1		0	0	0	0	0
Reassignment (denied) (hearing)	0	0	0	0	0	0	0	0	0
Reassignment (denied) (no hearing)	0	0	0	0	0	0	0	0	0
Reassignment (directed) (hearing)	0	0	0	0	0	0	0	0	0
Reassignment (directed) (no hearing)	0	0	0	0	0	0	0	0	0
Reasonable Accommodation (hearing)	0	0	0	0	0	0	0	0	0
Reasonable Accommodation (no hearing)	0	1	0	0	0	0	0	0	0
Reinstatement (hearing)	0	0	0	0	0	0	0	0	0
Reinstatement (no hearing)	0	0	0	0	0	0	0	0	0
Retirement (hearing)	0	0	0	0	0	0	0	0	0
Retirement (no hearing)	0	0	0	0	0	0	0	0	0
Termination (hearing)	0	0	0	0	0	0	0	0	0
Termination (no hearing)	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment (hearing)	0	0	0	0	0	0	0	0	0

Terms/Conditions of Employment (no hearing)	0	0	0	0	0	0	0	0	0
Time & Attendance (hearing)	0	0	0	0	0	0	0	0	0
Time & Attendance (no hearing)	0	0	0	0	0	0	0	0	0
Training (hearing)	0	0	0	0	0	0	0	0	0
Training (no hearing)	0	0	0	0	0	0	0	0	0
Other (hearing)	0	0	0	0	1	0	0	0	0
Other (no hearing)	0	0	0	0	0	0	0	0	0
<b>Number of Pending Complaints That Were Filed in Prior Fiscal Years</b>	85	68	48	45	41	36	29	29	20
<b>Number of Individuals Who Filed Pending Complaints in Prior Fiscal Years</b>									0
<b>Number of Complaints in Current Fiscal Year That Have Been in Investigative Phase for More Than 180 Days</b>	15	15	8	16	5	5	2	2	5

*\*Previously reported as 79. Number changed to reflect the total excluding the number of closures for the FY 2004.*

*\*\* Previously reported as 61. Number changed to reflect the total excluding the number of closures for the first quarter.*